

**Vermont Board of Medical Practice
Minutes of the February 3, 2010 Board Meeting
Gifford Medical Center, Randolph, Vermont**

“Approved – March 3, 2010”

1. Call to Order; Call the Roll; Acknowledge Guests:

David W. Clauss, M.D., Chair, called the meeting to order at 12:19 p.m.

Members Present:

David W. Clauss, M.D.; Patricia A. King, M.D.; Margaret F. Martin; Michael Drew, M.D.; William K. Hoser, PA-C; Hon. David A. Jenkins; Robert R. Rinaldi, DPM; Janice E. Ryan, RSM; Toby Sadkin, M.D.; William H. Stouch, M.D.; Peter Thomashow, M.D.; John B. Webber, Esq.; Florence Young.

Others in Attendance:

William E. Wargo, Director; Philip Ciotti, Investigator; Roberta Downes, Licensing Administrator; Paula Nenninger, Investigator; Bessie Weiss, Assistant Attorney General; Margaret Vincent, Assistant Attorney General; Terry Lovelace, Assistant Attorney General; Marjorie Power, Presiding Officer (joined meeting at approximately 1:00 p.m.); Madeleine Mongan, Esq., Vice President for Policy, Vermont Medical Society.

2. Public Comments:

Ms. Mongan asked Board members to consider being on the Vermont Practitioner Health Program Liaison Committee. Mr. Wargo informed Ms. Mongan and the Board that two Board members had volunteered to be on the Liaison Committee. They are Michael Drew, M.D. and John B. Webber, Esq.

3. Approval of the Minutes of the January 6 and 20, 2010 Board Meetings:

Ms. Martin made a motion to accept the minutes of the January 6, 2010 Board meeting. Dr. Drew seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Sr. Ryan made a motion to accept the minutes of the January 20, 2010 Board meeting. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

4. Board Matters (Dr. Clauss):

Dr. Clauss raised the topic of the Radiologist Assistants (RAs) Bill (H. 656).

Dr. King asked about the certification fee for RAs. Was the fee similar to what the other assistants are being charged? Mr. Hoser said the certification fee for Physician Assistants (PAs) is \$115.00.

Dr. Rinaldi made a motion for the Board to provide feedback to the House Government Operations Committee, and ask that they consider increasing the fee to make it similar to what the other assistant fees are. Mr. Webber seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

Dr. Clauss asked Dr. Sadkin to present the nominees for the Board officers' election. Dr. Sadkin presented the following recommendations for Board officers: Dr. King as Chair of the Board; Mr. Hoser as Vice-Chair of the Board; and Ms. Martin as Secretary of the Board.

Mr. Webber made a motion for acceptance of the recommendations for Board officers. Hon. D. Jenkins seconded the motion. The motion passed, opposed: none; recused: none; abstained: none.

5. Administrative Update (Mr. Wargo):

Mr. Wargo announced that the following Board members have been reappointed by the Governor to the Board: Mr. Hoser, Dr. King, and Dr. Clauss.

Mr. Wargo announced that the following have been appointed to the Board by the Governor: Lori Tarrant, Public member; Robert Hayward, M.D.; and Joshua Plavin, M.D.

Mr. Wargo began the discussion of the proposed Advanced Practice Registered Nurses (APRN) rules. Mr. Wargo referred back to the information packet he had sent out on January 27, 2010.

The Board further discussed the Vermont Medical Society's (VMS) statement regarding the proposed APRN rules. Mr. Webber made a motion to support the VMS statement regarding APRN. Dr. Stouch seconded the motion. The motion passed, opposed: none; recused: none; abstained: Sr. Ryan and Dr. Rinaldi.

6. Presentation of Applications:

Applications for physician licensure and physician assistant certification were presented and acted upon as detailed in Appendix A, incorporated by reference into these minutes.

7. Presentation to the Board:

None

8. Recess; Convene Hearing (Ms. Power):

Ms. Power convened a hearing to consider adjudicative matters before the Board (approximately 1:14 p.m. – 1:24 p.m.).

- In re: Robert Murray, M.D. – MPN 123-0804 & MPN 37-0207- State's Response to Petition for Relief of Conditions of Licensure

Mr. Lovelace withdrew the State's Response to Petition for Relief of Conditions of Licensure.

- In re: Peter Nobes, PA – MPS 90-0809 – Stipulation and Consent Order

Dr. Stouch made a motion to grant the Stipulation and Consent Order. Dr. Clauss seconded the motion. The motion passed, opposed: none; recused: South Investigative Committee (Ms. Martin, Mr. Hoser, Dr. Rinaldi and Mr. Webber); abstained: none.

- In re: Joshua A. Welch, M.D. – MPS 110-1008 – Stipulation and Consent Order

Dr. Thomashow made a motion to grant the Stipulation and Consent Order. Hon. D. Jenkins seconded the motion. The motion passed, opposed: none; recused: South Investigative Committee (Ms. Martin, Mr. Hoser, Dr. Rinaldi and Mr. Webber); abstained: none.

- In re: Joseph A. Abate III, M.D. – MPS 98-0607 – Stipulation and Consent Order

Dr. King made a motion to grant the Stipulation and Consent Order. Dr. Stouch seconded the motion. The motion passed, opposed: none; recused: South Investigative Committee (Ms. Martin, Mr. Hoser, Dr. Rinaldi and Mr. Webber); abstained: none.

9. Executive Session to Discuss Investigative Matters:

Sr. Ryan made a motion at 1:25 p.m. to go into Executive Session to discuss confidential matters related to investigations. Ms. Martin seconded the motion. The motion passed, opposed: none; recused: none.

Return to open session: 2:33 p.m.

10. Open Session

Dr. Reich, South Investigative Committee, asked to close:

MPS 136-1209 MPS 134-1209 MPS 61-0609 MPS 131-1209
MPS 77-0609 MPS 114-1009 MPS 125-1109 MPS 120-1109

Dr. Clauss made a motion to close the cases presented. Dr. Sadkin seconded the motion. The motion passed, opposed: none; abstained: none; recused: South Committee (Dr. Drew, Ms. Martin, Mr. Hoser and Mr. Webber); MPS 131-1209, MPS 134-1209, MPS 125-1109, and MPS 136-1209 – Sr. Ryan; MPS 120-1109 – Dr. King and Dr. Stouch; MPS 77-0609 – Dr. Thomashow.

Dr. Clauss, Central Investigative Committee, asked to close:

MPC 48-0509 MPC 127-1109

Sr. Ryan made a motion to close the cases presented. Dr. King seconded the motion. The motion passed, opposed: none; abstained: none; recused: Central Committee (Dr. Clauss, Hon. David Jenkins, Dr. Rinaldi, Dr. Thomashow and Ms. Young); MPC 48-0509 – Dr. Drew.

North Investigative Committee closed no cases.

11. Board Actions on Committee Recommendations With Regard to Any Non-confidential Matters:

None

12. Any Other Business:

Dr. Clauss thanked the Board for his opportunity to have been the Board Chair.

13. Next meetings:

Upcoming meetings: (Locations are subject to change, you will be notified if a change takes place.)

- **March 3 , 2010**, Licensing Committee meeting, 10:30 a.m. Gifford Medical Center, Randolph
- **March 3, 2010**, Board meeting, 12:00 p.m. Gifford Medical Center, Randolph
- **March 11, 2010**, North Investigative Committee Meeting, 12 p.m., Location to be determined

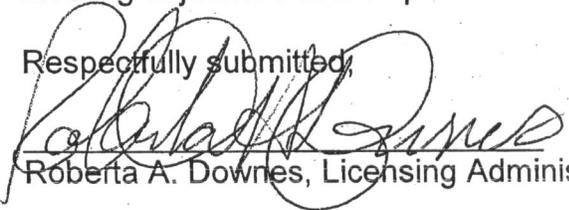
- **March, 2010**, Central Investigative Committee Meeting, Liquor Control Conference Room, Basement Floor, 13 Green Mountain Drive, Montpelier.
- **March, 2010**, Board meeting on pending applications, 12:10 p.m., teleconference meeting, with public access at the Board of Medical Practice office, Burlington Square Mall, 101 Cherry Street, 3rd Floor, Burlington.
- **March, 2010**, South Investigative Committee Meeting, 12:00 p.m., Asa Bloomer Building, 4th Floor, Room #492, 88 Merchants Row, Rutland.

14. Adjournment

Sr. Ryan made a motion to adjourn. Mr. Hoser seconded the motion. The vote was all in favor, opposed: none, recused: none; abstained: none.

Meeting adjourned at 2:38 p.m.

Respectfully submitted,


Roberta A. Downes, Licensing Administrator I

Attachments: Appendix A

Appendix A

Presentation of Applications (Recommendations were in the form of motions by the member making the recommendation)

Dr. Drew reported on interviews conducted with:

Todd Howland, M.D. Mary Joyce, M.D. Olga Lopantina, M.D.

Recommended by Dr. Drew for physician licensure. Seconded by Dr. Stouch, passed,
opposed: none, recused: none; abstained: none.

Mr. Hoser reported on interviews conducted with:

Andrew Ancel, PA-C Deborah Cole, PA-C Christopher Hanson, PA-C

Recommended by Mr. Hoser for physician assistant certification. Seconded by Dr. Stouch,
passed, opposed: none, recused: none.

Mr. Hoser moved for the issuance of secondary certifications for:

Ellen Bando, PA-C Marjorie Gewirz, PA-C

Recommended Mr. Hoser for secondary physician assistant certification. Seconded by Dr.
Stouch, passed, opposed: none, recused: none.

Dr. King reported on an interview conducted with:

Jason Johnson, M.D. Jenny Martino, M.D.

Recommended by Dr. King for physician licensure. Seconded by Dr. Stouch, passed,
opposed: none, recused: none; abstained: none.

Dr. Rinaldi reported on interviews conducted with:

Allison Ciolino, M.D. Kristen Lachance, M.D. Kathryn Palmer, M.D.

Recommended by Dr. Rinaldi for physician licensure. Seconded by Dr. Stouch, passed,
opposed: none, recused: none; abstained: none.